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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,910	02/08/2002	Satoru Kawahara	020591	9398

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EXAMINER

PATTERSON, MARC A

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 07/29/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/068,910

Applicant(s)

KAWAHARA ET AL.

Examiner

Marc A Patterson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 – 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is directed to a ‘film’ comprising a ‘film’ and ‘plate,’ which appears to be contradictory. For purposes of examination, the polarizing ‘plate’ will be assumed to be a polarizing ‘film.’ The phrase ‘wherein when the optical film is cut’ is indefinite as its meaning is unclear. For purposes of examination, the phrase will be assumed to be directed to a test for measuring the rigidity of the film, as indicated in the specification. The phrase ‘the force applied to one end of the film’ is indefinite as its meaning is unclear; the claim does not recite that bending occurs by applying force to the ends of the film. Claim 1 recites the limitation "a center" in line 4. There is insufficient antecedent basis for this limitation in the claim.

3. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase ‘and a quarter wavelength plate’ is indefinite as its meaning is unclear; as in claim 1 above, the claim appears to recite a ‘film’ which comprises a ‘plate.’

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

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invention. Claim 4 recites the limitation "a multilayer film" in line 3. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 recites the limitation "a base material" in line 2. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 9 is directed to a 'film' comprising a 'film' and 'plate,' which appears to be contradictory. For purposes of examination, the polarizing 'plate' will be assumed to be a polarizing 'film.' The phrase 'wherein when the optical film is cut' is indefinite as its meaning is unclear. For purposes of examination, the phrase will be assumed to be directed to a test for measuring the rigidity of the film, as indicated in the specification. The phrase 'the force applied to one end of the film' is indefinite as its meaning is unclear; the claim does not recite that bending occurs by applying force to the ends of the film. Claim 9 recites the limitation "a center" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kameyama et al (U.S. Patent No. 6,088,079).

With regard to Claims 1 – 3 and 17 – 20, Kameyama et al discloses an optical film (layer comprising an optical element; column 14, lines 9 – 29) comprising a polarizing film having a protective layer on at least one side of a polarizer (column 11, lines 15 – 29) and a brightness enhancement film laminated to the polarizing film (a Grandjean structured liquid crystal polymer layer having a circular polarization separating function, therefore a reflecting and polarization separating function; column 4, lines 58 – 67); the property of having a force of 0.163 N or less applied to the film, when the film is subjected to a test in which the film is cut into a 25 mm by 150 mm strip shape and bent so that both ends of the film approach each other and the distance between both ends is 50 mm, is therefore inherent to Kameyama et al as the film disclosed by Kameyama et al has a structure which is identical to the film of the claimed invention.

With regard to Claim 4, the brightness enhancement film has a circular polarizing separating function as discussed above and therefore has a linear polarizing separating function.

With regard to Claim 5, the polarizing film and brightness enhancement film are laminated by an adhesive layer (column 14, lines 30 – 40).

With regard to Claim 6, the liquid crystal polymer layer is supported on a layer of cellulose based – film (therefore a disposed on a protective layer of the film; column 5, lines 25 – 42).

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With regard to Claim 7, the thickness of the protective layer of the polarizing film and brightness enhancement film are 50 μm or less (column 5, lines 63 – 66; column 11, lines 45 – 59).

With regard to Claim 8, the film further comprises a retardation film (column 10, lines 54 – 62) and viewing angle enlarging film (the use of a multilayer structure increases viewing angle; column 5, lines 63 – 67; column 6, lines 1 – 13).

With regard to Claims 9 – 15, the optical film is comprised in a liquid crystal display comprising a liquid crystal cell. (column 2, lines 27 – 29).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Patterson, whose telephone number is (703) 305-3537. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (703) 308-4251. FAX communications should be sent to (703) 872-9310. FAXs received after 4 P.M. will not be processed until the following business day.

Marc A. Patterson, PhD.

Marc Patterson
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ALEXANDER S. THOMAS
PRIMARY EXAMINER